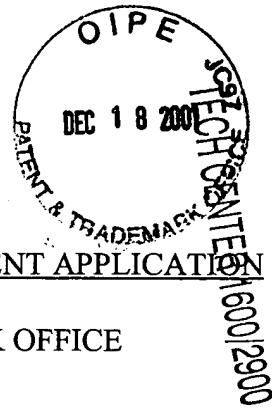


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Amendment Under 37 C.F.R. §1.116  
Expedited Prosecution - Group Art Unit 1652

35.C13982

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
TETSUYA YANO ET AL. )      Examiner: E. Slobodyansky  
Application No.: 09/430,029 )      Group Art Unit: 1652  
File: October 29, 1999 )  
For: DNA FRAGMENT CARRYING )  
TOLUENE MONOOXYGENASE :  
GENE, RECOMBINANT )  
PLASMID, TRANSFORMED :  
MICROORGANISM, METHOD )  
FOR DEGRADING :  
CHLORINATED ALIPHATIC )  
HYDROCARBON COMPOUNDS :  
AND AROMATIC COMPOUNDS, )  
AND METHOD FOR :  
ENVIRONMENTAL )  
REMEDIATION :      December 6, 2001  
:

#13  
M.J.J  
12/26/01

Commissioner for Patents  
Washington, D.C. 20231

REQUEST FOR APPROVAL OF PROPOSED DRAWING CHANGES

Sir:

The Applicants respectfully request that the Examiner approve the change  
of designating Figure 15 to be Figure 1. A marked-up version of Figure 15 is enclosed to  
show the changes made thereto.

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first-class mail in an envelope addressed  
to: Commissioner for Patents, Washington, D.C. 20231 on

December 6, 2001

(Date of Deposit)

JASON M. OKUN

(Name of Attorney for Applicant)

December 6, 2001

Signature

Date of Signature

Entry hereof and an indication that the proposed changes have been approved are respectfully requested in the next Patent and Trademark Office communication..

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



\_\_\_\_\_  
Attorney for Applicants

Registration No. 24947

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New York, New York 10112-3801  
Facsimile: (212) 218-2200

NY\_MAIN 222723v1



Correspondence  
**BOX AF**

AP 16528  
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#14  
D.Q.J  
12/26/01

Docket No. 35.C15982  
Date: December 6, 2001

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: TETSUYA YANO ET AL.

Application No.: 09/430,029

For: DNA FRAGMENT CARRYING TOLUENE MONOOXYGENASE  
GENE, RECOMBINANT PLASMID, TRANSFORMED MICROORGANISM,  
METHOD FOR DEGRADING CHLORINATED ALIPHATIC  
HYDROCARBON COMPOUNDS AND AROMATIC COMPOUNDS,  
AND METHOD FOR ENVIRONMENTAL REMEDIATION

Filed: October 29, 1999

Group Art Unit: 1652

Commissioner for Patents  
Washington, D.C. 20231

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TC 1700

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated June 6, 2001 of the Primary Examiner finally rejecting claims 1-48 and 55.

The item(s) checked below are appropriate.

1.  A Petition for a three (3) month extension of time to respond to the final rejection, together with the \$ 920.00 extension fee under 37 C.F.R. §1.17, is filed herewith.
2.  A Petition for an additional    month extension of time to take further action, together with the \$        extension fee under 37 C.F.R. §1.17, was filed on       .
3.  Fee \$320.00
- Fee \$160.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)

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December 6, 2001

(Date of Deposit)

PETER SAXON

(Name of Attorney for Applicant)

Signature

December 6, 2001

Date of Signature

12/20/2001 CV0111 0000007 09430029

01 FC:119

320.00 0P

- Enclosed
- Not required (fee paid in prior appeal)
- Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4.  Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5.  Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



\_\_\_\_\_  
Attorney for Applicants

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NY\_MAIN 222733v1



35.C1398

Amendment Under 37 C.F.R. §1.116  
Expedited Prosecution - Group Art Unit 1652

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TETSUYA YANO ET AL.

Application No.: 09/430,029

Filed: October 29, 1999

For: DNA FRAGMENT CARRYING  
TOLUENE MONOOXYGENASE  
GENE, RECOMBINANT  
PLASMID, TRANSFORMED  
MICROORGANISM, METHOD  
FOR DEGRADING  
CHLORINATED ALIPHATIC  
HYDROCARBON COMPOUNDS  
AND AROMATIC COMPOUNDS,  
AND METHOD FOR  
ENVIRONMENTAL  
REMEDIATION

Commissioner for Patents  
Washington, D.C. 20231

## **NOTICE RE DEPOSIT OF MICROORGANISMS**

Sir:

The above-identified application discloses a cell line which has been deposited with the National Institute of Bioscience and Human Technology, Agency of

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on  
December 6, 2001  
(Date of Deposit)

PETER SAXON  
f Attorney for Applicant)

Peter Daxen  
Signature

December 6, 2001

Signature

Date of Signature

Industrial Science and Technology, Ibaraki, Japan, under the following Accession No.:

FERM-BP-4235

The deposit has been made by Canon Kabushiki Kaisha, the present assignee, with the National Institute of Bioscience and Human Technology under the terms and conditions of the Budapest Treaty. A copy of the International Receipt form is in the filewrapper of copending Application No. 08/848,877. Access to the deposit will be accorded to the Commissioner upon request and any restrictions upon availability to the public will be irrevocably removed upon granting of any patent issuing on this application or any continuation, divisional or continuation-in-part applications. Maintenance of the deposit is assured for periods of time as specified in the Budapest Treaty.

Canon Kabushiki Kaisha will replace the cultures if any should become non-viable for a period of at least five (5) years after the most recent request for the furnishing of a sample deposited microorganism, for a period of at least thirty (30) years after the date of deposit or for the enforceable life of such patent, whichever is longer.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



\_\_\_\_\_  
Attorney for Applicants

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